

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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CIVIL MINUTES - GENERAL

Case No.	CV 06-4271 CAS (JWJx)	Date	August 3, 2009
Title	FIDELITY NATIONAL FINANCIAL, INC., ET AL. v. COLIN H. FRIEDMAN, ETC., ET AL.		

Present: The Honorable		CHRISTINA A. SNYDER	
Catherine Jeang	Not Present		N/A
Deputy Clerk	Court Reporter / Recorder		Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
Not Present		Not Present	

Proceedings: (In Chambers:) Order Re: Refinance of the Huntress Property

On May 14, 2009, this Court issued an order permitting utilization of certain Trust assets to fund payment to Joseph Etienne (as trustee for Trust defendants) and David M. Bass and Associates (defendants' counsel). Specifically, the Court permitted (1) refinancing of the Huntress property and (2) "assignment of the \$500,000 deed of trust held by Negev on the home owned by the Meshkatais, subject to Fidelity's lien, if any." May 14, 2009 Order at 4. On May 21, 2009, the Court issued an order staying the refinance of the Huntress Property until July 4, 2009, in order to allow the trustee of the Friedmans' bankruptcy estate to complete her investigation. On July 6, 2009, the United States Bankruptcy Court for the District of Arizona issued an order, determining that the Huntress Property is "not presently property of the estate" and that "the District Court should proceed to determine the finance issue whether the Huntress property can be used to obtain new borrowing with the exception however that no proceeds of finance of the Huntress property can be used to pay or secure any attorneys fees that accrued before this bankruptcy case was filed."

The Court hereby holds that the Huntress property may be refinanced to permit payment of attorneys' fees in a manner consistent with the July 6, 2009 ruling of the United States Bankruptcy Court.

IT IS SO ORDERED.

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Initials of Preparer	CMJ		